

Application Serial No.: 09/966,537
Amendment and Response to January 7, 2005 Non-Final Office Action

REMARKS

Claims 1-4, 6-8, 10, and 15-24 are in the application. Claims 1 and 24 are currently amended; claims 2-4 and 8 remain unchanged from the original versions thereof; claims 6, 7, and 15-23 were previously presented; and claims 5, 9, 11-14, and 25-28 are canceled. Claims 1 and 24 are the independent claims herein.

Support for the currently amended claims 1 and 24 may be found in the originally filed specification at least at page 9, lines 1-4.

No new matter is added as a result of the amendments submitted herewith.

Reconsidered and further examination are respectfully requested.

Claim Rejections – 35 USC § 102(e)

Claims 1-4, 6-8, 15-21, and 25-27 were rejected as being anticipated by Lenchik et al. (hereinafter, Lenchik). This rejection is respectfully traversed.

Claim 1 relates to a portable communication device including an input unit to receive information and including a first coupling portion, and an output unit adapted to provide information, communicate at least with the input device, and including a second coupling portion. Further, claim 1 states that the first and second coupling portions are selectively connectable and when selectively connected to each other (i) provide a connection that selectively positions the output unit at a plurality of positions with respect to the input unit, and is rotatable about at least a first axis and a second axis, and (ii) the output unit communicates with at least the input unit wirelessly. That is, the output unit communicates with the input unit, at least, wirelessly when the input unit and the output unit are connected to each other by way of the first and second coupling portions.

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The claimed wireless communication between selectively connectable input and output units is not disclosed or suggested by the cited and relied upon Lenchik. Lenchik discloses a first electronic element and a second electronic element permanently connected together by a joint that allows relative movement between the first and second electronic elements. Lenchik discloses that the first and second electronic elements communicate via a bus 1039, the bus being a single wire or lead or a plurality of wires or leads. (See Lenchik, col. 5, ln. 50-58, and FIG. 10) Lenchik does not disclose or suggest wireless communication between the first and second electric elements thereof when connected together.

Furthermore, Lenchik appears to teach away from any wireless communication between the electronic elements therein based on the explicit disclosure of the wired bus that connects the electronic elements.

Regarding the Office Action's discussion of wireless communication between devices (discussed with respect to the now canceled claims 11-14), SanGiovanni is cited and related upon to disclose wireless communication between input and output units therein. However, it is respectfully noted that SanGiovanni explicitly discloses that "[T]he physical electrical connection between the mobile computing device and the wireless communication device allows for battery life optimization since Bluetooth™ technology is only employed while the devices are separated. (Emphasis added) (See SanGiovanni, para. [0009]) Further, SanGiovanni discloses, "[T]hrough the electrical connection, the two devices may operate from the same power supply and may be charged through the same electrical connection. Additionally, through the electrical connection of the universal joint, the mobile computing device (such as 102) and the wireless communication device 104 of the alternative embodiment are enable to transmit and receive information without the use of Bluetooth™ or other wireless technology". (Emphasis added) (See SanGiovanni, para. [0025]) Also, "[I]n the alternative embodiment, both the mobile computing device (such as 102) and the wireless communication device 104 provide independent functionality to a use when detached from one another, meaning that both devices can be operated with absolutely

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no dependency upon the other device. Additionally, if the mobile computing device 102 and the wireless communication device 104 are within the FCC permitted range (currently 30 feet) allocated for Bluetooth™ technology, then the two devices 102 and 104 might pass, or transmit and receive, information through a Bluetooth™ wireless link". (Emphasis added) (See SanGiovanni, para. [0027])

Thus, it is clear that SanGiovanni clearly and unambiguously discloses that the mobile computing device and the wireless communication device communicate via a wireless technology (e.g., Bluetooth™) only when the devices are separated or detached from each other.

In fact, SanGiovanni teaches away from the devices therein communicating with each other wirelessly when attached or connected to each other. SanGiovanni explains that the devices do not communicate wirelessly with each when connected in order to, for example, conserve battery life.

Therefore, Applicant respectfully submits that the cited and relied upon Lenchik, either alone or in combination with the other cited and relied upon references, does not anticipate claim 1. Claims 2-4, 6-8, 10 and 15-23 depend from claim 1. It is respectfully submitted that claims 2-4, 6-8, 10, and 15-23 are patentable over Lenchik for at least the same reasons provided regarding claim 1.

Claim Rejections – 35 USC § 103(a)

Claims 24, 28, 11-14, and 22 were rejected as being unpatentable over Lenchik in view of SanGiovanni. This rejection is respectfully traversed.

Inasmuch as claims 11-14 and 28 are canceled, the rejection of same is moot.

Regarding the rejection of claims 22 and 24, which now include recitations of wireless communication between an input unit and an output unit when selectively connected to each other, Applicant has clearly shown in the discussion above that (1) SanGiovanni discloses a mobile computing device and a wireless communication

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device that communicate via a wireless technology (e.g., Bluetooth™) only when the devices are separated or detached from each other, and (2) that SanGiovanni teaches away from the devices therein communicating with each other wirelessly when attached or connected to each other.

Therefore, the alleged combination of Lenchik and SanGiovanni does not render claims 22 and 24 obvious under 25 USC 103(a).

Claim 23 was rejected as being unpatentable over Lenchik in view of Schultz et al., (hereinafter, Schultz). This rejection is respectfully traversed.

Inasmuch as claim 23 depends on claim 4 that is believed to be patentable over the cited and relied upon references, Applicant respectfully submits that claim 23 is patentable for at least the same reasons provided hereinabove for claim 4.

Therefore, Applicant respectfully submits that claim 23 is patentable over the alleged combination of Lenchik, SanGiovanni, and Schultz under 35 USC 103(a).

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (650) 943-7405.

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Respectfully requested,

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